

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl.No. 990 of 2007()

CC.731/2006 of C.J.M.C,KASARAGOD
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PETITIONER/ACCUSED:

FIROZ, S/O.ABDULLA,
THAIVALAPPIL HOUSE, CHOORI, R.D.NAGAR,
KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS/ COMPLAINANT:

STATE OF KERALA, REP. BY THE
SUB INSPECTOR OF POLICE, KASARAGOD POLICE
STATION, REP. BY THE PUBLIC PROSECUTOR,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO. 990 OF 2007

DATED THIS THE 20th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 5th accused in Crime No.198/03 of Kasargod Police Station for offences punishable under sections 143, 147, 148, 323, 506(ii) and 153A read with section 149 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.329/04 on the file of the C.J.M., Kasargod, the case against him was transferred to the long pending register as L.P.C.No.183/06. The case against the petitioner was split up and re-filed as C.C.No.731/06. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the C.J.M., Kasargod and seek regular bail. Accordingly, if the petitioner surrenders before the C.J.M., Kasargod and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn